

## **REMARKS**

In the Final Office Action dated July 16, 2007, pending Claims 1, 3-24, 27-28 and 30 were examined and stand rejected. In response, Claims 1, 14, 22, and 28 are amended, no claims are cancelled and no claims are added. Applicants respectfully request reconsideration of pending Claims 1, 3-24, 27-28 and 30 in view of at least such amendments and the following remarks.

### **I. Claims Rejected Under 35 U.S.C. §103**

Claims 1, 2-6, 9, 10, 22-24 and 28 are rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,643,663 issued to Dabney et al. ("Dabney"), U.S. Patent No. 6,457,045 issued to Hanson et al. ("Hanson"), further in view of U.S. Patent No. 6,052,600 issued to Fette et al. ("Fette") further in view of U.S. Patent No. 5,867,799 issued to Lang et al. ("Lang") and further in view of U.S. Patent No. 6,088,702 issued to Plantz et al. ("Plantz"). Applicants respectfully traverse this rejection.

Claim 1 recites:

1. A computerized method for creating a story by multiple collaborators being on-line users supplying content associated with a story concept comprising:
  - receiving the story concept for the story including an indication of one or more editors for the story from an originator of the story concept;
  - determining whether the story concept includes content that meets a predetermined criteria set by a party separate from the multiple collaborators and deleting the story concept if the content fails to meet the predetermined criteria;
  - making the story concept available for online access to enable the multiple collaborators to submit competing story content related to elements in the story concept if the story concept meets the predetermined criteria;
  - receiving the competing story content associated with the story concept from the multiple collaborators;
  - determining the selected story content from the competing story content submitted from each of the multiple collaborators that is approved for inclusion in the story based on votes received online through a wide area network connection from the one or more editors and at least one of the multiple collaborators;
  - creating the story from the selected story content that is approved; and
  - deleting the competing story content if the received votes have failed to approve the content. (Emphasis added.)

While Applicants' argument here is directed to the cited combination of references, it is necessary to first consider their individual teachings, in order to ascertain what combination (if any) could be made from the cited references.

Regarding Claim 1, Claim 1 recites the following claim feature which is neither taught nor suggested by the prior art combination of Dabney in view of Hanson and further in view of Fette in view of Lang and further in view of Plantz:

receiving the story concept for the story including an indication of one or more editors for the story from an originator of the story concept.

According to the Examiner, the above recited feature of Claim 1, prior to amendment, is disclosed at Col. 10, lines 15-20 of Plantz. (See page 9, ¶ 2-3 of the Office Action mailed 7/16/07.) Applicants respectfully disagree with the Examiner's assertions and characterizations of Plantz.

In contrast to Claim 1, Plantz is generally directed to a group publishing system (GPS) where administration of the project assembly process, assignment of projects to authors and editors and overall GPS maintenance by a GPS administrator is facilitated by an administration control center. (See col. 7, lines 6-10.) We submit that neither col. 10, lines 15-20 nor any other portion of Plantz discloses or suggests "receiving the story concept for the story including an indication of one or more editors for the story from an originator of the story concept," as in Claim 1. Plantz does disclose the ability of a new editor to sign into the system (see col. 2, lines 15-20 of Plantz), however, that is something completely different from receiving of the story concept including an indication of one or more editors for the story from an originator of the story concept, as in Claim 1.

Furthermore, Dabney is directed to handling news stories provided by news reporters and/or journalists for publication in a newspaper or other traditional media source; specifically, news story data such as photographs, video, audio and text is prepared for newspaper, radio and television by human editors. (See col. 5, lines 63-65.) Assuming, arguendo, that news story data discloses receiving a story, as in Claim 1, such news story data does not include an indication of one or more editors for the story that the concept for the story is received from an originator of the story concept, as in Claim 1. We submit that the reporters of Dabney do not select the editor

for a story nor are they the originator of the story concept, as in Claim 1. The other cited references fail to rectify this deficiency.

Hence, we submit that the combination of Dabney in view of Hanson in view of Fette in view of Lang and further in view of Plantz does not disclose or suggest the receipt of a story concept for a story including an indication of one or more editors for the story from an originator of the story concept, as in Claim 1.

Furthermore, Claim 1, as amended, recites the following claim feature which is not taught by the combination of references referred to by the Examiner:

making the story concept available for online access to enable the multiple collaborators to submit competing story content related to elements in the story concept if the competing story concepts meets the predetermined criteria;

The disclosure of Dabney is expressly limited to news editor approval for completion of a news story and storage of such news story on content servers for newscasts and media distribution, making the news story data available for news media to incorporate the edited news story data into their broadcast and/or publication, distribution as well as availability for internet news sources. (See col. 6, lines 3-12.) Furthermore, we submit that Dabney fails to disclose or suggest making the story concept available for online access to enable the multiple collaborators to submit competing story content related to elements in the story concept if the competing story content meets the predetermined criteria, as in Claim 1. We submit that the various reporters that cover a story do not compete for which of their content will be selected for the various elements of the story concept, as in Claim 1.

Furthermore, Claim 1 recites “determining the selected story content from the competing story content submitted by each of the multiple collaborators that is approved for inclusion in the story based on votes received online through a wide area network connection from the one or more editors and at least one of the multiple collaborators,” as in Claim 1.

We submit that Dabney teaches away from allowing the reporters that capture the news story content, such as the collaborators of Claim 1, to decide whether the story content is accepted for inclusion in the news story. We submit that the express limitation of accepting content for news stories, based solely on editor’s decision, prohibits the Examiner from

illustrating that Dabney discloses content approval based on votes received from one or more editors and at least one of the multiple collaborators, as in Claim 1.

Furthermore, Claim 1 recites deleting the content if the received votes have failed to approve the content. Applicants agree with the Examiner that Dabney and Hanson fail to teach this limitation. However, Applicants respectfully disagree that either Fette or Lang provide such teaching. In contrast with Claim 1, Fette is directed to removal of unapproved information based on user approval. Lang teaches a filtering mechanism based on community standards, but such decision is not based on the one or more editors and at least one of the multiple collaborators (i.e., the providers of the content) as claimed. Plantz does not rectify this deficiency.

We submit that no combination of Dabney in view of Hanson in view of Fette in view of Lang and further in view of Plantz could teach or suggest receipt of the story concept for a story including an indication of one or more editors for the story from an originator of the story concept, much less that the selected story concept from the competing story content submitted from each of the multiple collaborators that is approved for inclusion of the story based on votes received online through a wide area network connection from the one or more editors and at least one of the multiple collaborators, as in Claim 1. Hence, the prior art combination of Dabney, Hanson, Fette and Lang fail to teach or suggest each of the above recited features of amended Claim 1, as required to establish a *prima facie* case of obviousness.

For each of the above reasons, therefore, Claim 1 and all claims which depend from Claim 1 are patentable over the prior art combination of Dabney in view of Hanson in view of Fette in view of Lang and further in view of Plantz. Therefore, Applicants respectfully request that the Examiner reconsider and withdraw the §103 rejection of Claims 1, 3-6, 9 and 10.

The Examiner has rejected Claims 14-18 under 35 U.S.C. §103(a) as being unpatentable over Dabney in view of Hanson, further in view of Fette, further in view of Lang. In addition, Claims 19-21 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Dabney in view of Hanson, in view of Fette further in view of Lang, further in view of Plantz and further in view of U.S. Patent No. 5,100,154 issued to Mullins (“Mullins”). Also, Claims 11-13, 27 and 30 are rejected under 35 U.S.C. §103(a) as being unpatentable over Dabney in view of Hanson in view

of Fette further in view of Lang, further in view of Plantz and further in view of Mullins. Applicants respectfully traverse these rejections.

Each of Applicant's other independent claims includes limitations similar to those in Claim 1 discussed above. Therefore, all of Applicants' other independent claims, and all claims which depend on them, are also patentable over the cited prior art for similar reasons.

In view of the above remarks, a specific discussion of the dependent claims is considered to be unnecessary. Therefore, Applicant's silence regarding any dependent claim is not to be interpreted as agreement with, or acquiescence to, the rejection of such claim or as waiving any argument regarding that claim.

Therefore, Applicants respectfully request that the Examiner reconsider and withdraw the §103 rejection of Claims 11-24, 27, 28, and 30.

#### **Request for Examiner's Interview**

Applicant believes that the above listed claims are in condition for allowance, and further believes that a telephone conference to discuss the allowance of these claims would greatly facilitate the examination of the subject Application. The Examiner, therefore, is respectfully requested to contact the undersigned attorney by telephone at the telephone number listed below to coordinate an Examiner's Interview.

### CONCLUSION

In view of the foregoing, it is believed that all claims now pending (1) are in proper form, (2) are neither obvious nor anticipated by the relied upon art of record, and (3) are in condition for allowance. A Notice of Allowance is earnestly solicited at the earliest possible date. If the Examiner believes that a telephone conference would be useful in moving the application forward to allowance, the Examiner is encouraged to contact the undersigned at (310) 207-3800.

If necessary, the Commissioner is hereby authorized in this, concurrent and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2666 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17, particularly, extension of time fees.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN, LLP

Dated: 12/17/07

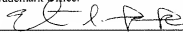
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#### CERTIFICATE OF TRANSMISSION

I hereby certify that this correspondence is being submitted electronically via EFS Web on the date shown below to the United States Patent and Trademark Office.

  
Elaine Kwak

12/17/07  
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